



The South Gujarat University Act, 1965

Act 38 of 1965

Keyword(s):

Affiliated, Approved Institution, College, Degree college, Head Master, High School, Hostel, Principal, Recognised Institution, Registered Graduate, Secondary Teachers, Teachers, University, University Area

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filed as a separate compilation

PART IV

Acts of the Gujarat Legislature and Ordinances promulgated and Regulations made by the Governor.

The following Act of the Gujarat Legislature, having been assented to by the Governor on the 30th December 1965 is hereby published for general information.

SUMANT M. VIDYARTHI,

Secretary to the Government of Gujarat,
Legal Department.

GUJARAT ACT NO. 38 OF 1965.

(First published after having received the assent of the Governor in the Gujarat Government Gazette on the 31st December 1965.).

An Act to establish and incorporate a teaching and affiliating University at Surat in the State of Gujarat to be known as the South Gujarat University.

It is hereby enacted in the Sixteenth Year of the Republic of India as follows :—

CHAPTER I

PRELIMINARY

1. (1) This Act may be called the South Gujarat University Act, 1965.

(2) This section shall come into force at once.

Short title
and commen-
cement.

(3) The State Government may, by notification in the *Official Gazette*, direct that all or any of the remaining provisions of this Act shall come into force on such date or dates as may be specified in the notification.

Definitions.

2. In this Act, unless the context otherwise requires,—

- (1) "affiliated" means affiliated under section 5 or 34;
- (2) "approved institution" means an institution approved under section 37;
- (3) "college" means a degree college or a college teaching courses leading to a degree;
- (4) "degree college" means an affiliated college which is authorised to submit its students to an examination qualifying for any degree of the University;
- (5) "head master" means the head of a high school;
- (6) "high school" means a high school which has been recognised as a full-fledged high school by the Director of Education, Gujarat State, or by an officer authorised by him in this behalf;
- (7) "hostel" means a unit of residence for students maintained or recognised by the University under this Act;
- (8) "Principal" means the head of a college;
- (9) "recognised institution" means an institution recognised under section 36;
- (10) "registered graduate" means a graduate registered under the provisions of this Act;
- (11) "secondary teachers" means such class of teachers imparting instruction in high schools as may be declared to be secondary teachers by the Statutes;
- (12) "Statutes", "Ordinances", "Regulations" and "Rules" means respectively the Statutes, Ordinances, Regulations and Rules made under this Act and for the time being in force;
- (13) "teachers" means professors, readers, lecturers and such other persons imparting instruction in the University, an affiliated college, or a recognised institution or an approved institution as may be declared to be teachers by the Statutes;

(2) to make such provision as would enable affiliated colleges, recognised institutions and approved institutions to undertake specialisation of studies;

(3) to organise common laboratories, libraries, museums and other equipment for teaching and research;

(4) to establish, take over, maintain and manage colleges, departments, centres and institutes of research or specialised studies;

(5) to institute professorships, readerships, lecturerships and any other posts of teachers required by the University;

(6) to appoint or recognise persons as professors, readers, or lecturers or otherwise as teachers of the University;

(7) to lay down the courses of instruction for the various examinations;

(8) to guide teaching and research work in colleges, University departments, University centres or recognised institutions;

(9) to institute degrees, diplomas and other academic distinctions;

(10) to hold examinations and to confer degrees, diplomas and other academic distinctions on persons who—

(a) have pursued approved courses of study in the University or in an affiliated college unless exempted therefrom, in the manner prescribed by the Statutes, Ordinances, Regulations and Rules and have passed the examinations prescribed by the University, or

(b) have carried on research under conditions prescribed by the Ordinances, Regulations or Rules;

(11) to confer honorary degrees or other academic distinctions in the manner laid down by the Statutes;

(12) to grant such diplomas to, and to provide such lectures, instruction and training for, persons who are not enrolled students of the University, as may be determined by the Statutes, Ordinances, Regulations and Rules;

(13) to admit educational institutions to the privileges of the University and to withdraw such privileges;

(14) to inspect colleges, recognised institutions and approved institutions, and to take measures to ensure that proper standards of instruction, teaching or training are maintained in them and that adequate library and laboratory provisions are made therein;

(14) "teachers of the University" means teachers appointed or recognised by the University for imparting instruction on its behalf;

(15) "University" means the South Gujarat University constituted under this Act;

(16) "University area" means the areas specified in the Schedule;

(17) "University centre" means a centre where post-graduate studies are imparted as determined by the Statutes, Ordinances, and Regulations made in that behalf;

(18) "University college" means a college which the University may establish or maintain under this Act or a college transferred to the University and maintained by it;

(19) "University department" means any post-graduate or research institution or department maintained by the University.

CHAPTER II

THE UNIVERSITY

3. (1) The Chancellor, the first Vice-Chancellor of the University and the first members of the Senate, the Syndicate and the Academic Council of the University and all persons who may hereafter become such officers or members, so long as they continue to hold such office or membership, are hereby constituted a body corporate by the name of "The South Gujarat University."

Incorporation of the University.

(2) The University shall have perpetual succession and a common seal, and may sue and be sued by the said name.

(3) The University shall be competent to acquire and hold property, both movable and immovable, to lease, sell or otherwise transfer any movable or immovable property which may vest in or be acquired by it for the purposes of the University, to raise loans on the securities of its assets and to contract and do all other things necessary for the purposes of this Act :

Provided that he power to raise any such loan shall be exercised after obtaining previous permission of the State Government.

4. Subject to such conditions as may be prescribed by or under the provisions of this Act, the University shall have the following powers, namely :—

Powers of University.

(1) to provide for instruction, teaching and training in such branches of learning and courses of study as it may think fit, and to make provision for research, advancement and dissemination of knowledge;

(15) to control and co-ordinate the activities of, and to give financial aid to, affiliated colleges, approved institutions and recognised institutions and to regulate the fees to be paid by the students in such colleges;

(16) to hold and manage trusts and endowments and to institute and award fellowships, travelling fellowships, scholarships, studentships, exhibitions, medals and prizes;

(17) to make special provision for the spread of University education among classes and communities which are educationally backward;

(18) to lay down courses of study to meet the requirements of rural planning, development and reconstruction and to provide for instruction, teaching and training in such courses;

(19) to make special provision for disseminating knowledge and promoting arts and culture;

(20) to fix, to demand and to receive or recover such fees and other charges as may be prescribed by the Ordinances;

(21) to establish, maintain and manage hostels;

(22) to recognise hostels not maintained by the University, to inspect such hostels and to withdraw recognition therefrom;

(23) to co-ordinate, supervise, regulate and control the residence, conduct and discipline of the students of the University and to make arrangements for promoting their health and general welfare;

(24) to co-ordinate, supervise, regulate and control the conduct of undergraduate teaching and of post-graduate and other research work and teaching in the affiliated colleges, and the institutions recognised or approved by the University;

(25) to institute and manage—

(a) Printing and Publication Department;

(b) University Extension Boards;

(c) Information Bureaux; and

(d) Employment Bureaux;

(26) to make provision—

(a) for extra-mural teaching and other recognised activities;

(b) for physical education, National Cadet Corps and military training;

(c) for students' unions; and

(d) for sports and athletic activities;

(27) to co-operate with other Universities and authorities in such manner and for such purposes as the University may determine;

(28) to promote the development of the study of Gujarati and Hindi in Devnagari script and the use of Gujarati or Hindi in Devnagari script or both as a medium of instruction and examination;

(29) to make arrangements for training for competitive examinations for recruitment to the services under the Union and State Governments;

(30) to do all such acts and things whether incidental to the powers aforesaid or not as may be requisite in order to further the objects of the University and generally to cultivate and promote Arts, Science and other branches of learning and culture.

Jurisdiction
and admi-
ssion to pri-
vileges.

5. (1) No educational institution within the University Area shall, save with the sanction of the State Government and the University, be associated in any way with, or seek admission to any privileges of, any other University established by law.

(2) Any such privileges enjoyed from the Gujarat University before the date on which this section comes into force by any educational institution situate within the University Area shall be deemed to be withdrawn with effect from such date.

(3) With effect from such date all educational institutions admitted to the privileges of the Gujarat University and situate within the University Area shall be deemed to be admitted to the privileges of the University, and the University shall, as far as may be possible and consistent with this Act, admit such institutions to all such privileges as they had from the Gujarat University immediately before such date.

(4) Any educational institution in the State of Gujarat situate outside the University Area or in other territories outside the State may, subject to such conditions and restrictions as the University and the State Government think fit to impose, be admitted to the privileges of the University.

(5) The State Government may, by notification in the *Official Gazette*, direct that this Act shall cease to apply to any area included in the University Area and on such date as may be specified in the notification; and on and from the said date all the educational institutions situate within the said area shall cease to be associated with and to enjoy the privileges of the University.

University
open to all
irrespective
of sex, reli-
gion, class,
creed or
opinion.

6. (1) No person shall be excluded from any office of the University or from membership of any of its authorities or from admission to any degree, diploma or other academic distinction or course of study on the sole ground of sex, race, creed, caste, class, place of birth, religious belief or political or other opinion:

Provided that the University may, subject to the previous sanction of the State Government, maintain, affiliate or recognise any college or institution exclusively for women, or reserve for women or members of classes and communities which are educationally backward, seats for the purposes of admission as students in any institution maintained by the University.

(2) It shall not be lawful for the University to impose on any person any test whatsoever relating to sex, race, creed, caste, class, place of birth, religious belief or profession of political or other opinion in order to entitle him to be admitted as a teacher or a student or to hold any office or post in the University or to qualify for any degree, diploma or other academic distinction or to enjoy or exercise any privileges of the University or any benefaction thereof.

7. (1) The Chancellor shall have the right to cause an inspection to be made by such person or persons as he may direct, of the University, its buildings, laboratories, libraries, museums, workshops and equipment, of any institution, college or hostel maintained, recognised or approved by, or affiliated to, the University, of the teaching and other work conducted by the University, and of the conduct of examinations held by the University; and to cause an inquiry to be made in respect of any matter connected with the University. The Chancellor shall in every case give notice to the University of his intention to cause an inspection or inquiry to be made and the University shall be entitled to be represented thereat. Inspection and inquiry.

(2) The Chancellor shall communicate to the Syndicate and to the Senate his views with reference to the results of such inspection or inquiry and shall, after ascertaining the opinion of the Syndicate and the Senate thereon, advise the University on the action to be taken.

(3) The Syndicate shall report to the Chancellor such action, if any, as it has taken or may propose to take upon the results of the inspection or inquiry. Such report shall be submitted with the opinion of the Senate thereon and within such time as the Chancellor may direct.

(4) Where the Syndicate does not within a reasonable time take action to the satisfaction of the Chancellor, the Chancellor may, after considering any explanation furnished or representation made by the Syndicate, issue such directions as he may think fit and the Syndicate shall comply with such directions.

(5) The State Government may, whenever it deems fit, cause a like inspection or inquiry to be made in the manner described in sub-sections (1) to (3) above and shall have, for the purposes of such inspection or inquiry, all the powers of the Chancellor under the said sub-sections.

CHAPTER III

OFFICERS OF THE UNIVERSITY

8. The following shall be the officers of the University, namely :—

- (i) The Chancellor,
- (ii) The Vice-Chancellor,

Officers of
the University.

- (iii) The Rector, if any,
- (iv) The Deans of Faculties,
- (v) The Registrar,
- (vi) The Controller of Examinations, and
- (vii) such other officers in the service of the University as may be declared by the Statutes to be officers of the University.

Chancellor. 9. (1) The Governor of the State of Gujarat shall be the Chancellor of the University.

(2) The Chancellor shall, by virtue of his office, be the head of the University and the President of the Senate shall, when present, preside at the meetings of the Senate and at any Convocation of the University.

(3) The Chancellor shall have such other powers as may be conferred on him by this Act or the Statutes.

The Vice-Chancellor. 10. (1) The Vice-Chancellor shall be appointed by the State Government from amongst three persons recommended under sub-section (3) by a committee appointed for the purpose under sub-section (2).

(2) (a) For the purposes of sub-section (1) the Chancellor shall appoint a committee which shall consist of the following members, namely :—

(i) two members (not being persons connected with the University or with any affiliated college, recognised institution or approved institution) out of whom one shall be a person nominated in the manner prescribed by Statutes by the Syndicate and the Academic Council jointly and the other shall be a person nominated in the manner prescribed by Statutes by the Vice-Chancellors of all the Universities established by law in the State of Gujarat;

(ii) one member to be nominated by the Chancellor.

(b) The Chancellor shall appoint one of the three members of the Committee as its chairman.

(3) The Committee so appointed shall, within such time and in such manner as may be prescribed by Statutes, select three persons whom it considers fit for being appointed Vice-Chancellor and shall recommend to the State Government the names of the persons so selected together with such other particulars as may be prescribed by the Statutes.

(4) The Vice-Chancellor shall hold office for a term of three years and he shall be eligible for being appointed to that office for a further term of three years only

(5) The emoluments to be paid to the Vice-Chancellor, and the terms and conditions subject to which he shall hold office, shall be such as may be prescribed by the Statutes :

Provided that such emoluments or such terms and conditions shall not, during the currency of the term of the holder of that office, be varied to his disadvantage without his consent.

(6) (a) During the leave or absence of the Vice-Chancellor, or

(b) in the event of a permanent vacancy in the office of the Vice-Chancellor, until an appointment is made under sub-section (1) to that office,

the Rector, if any, and in the absence of the Rector, one of the Deans nominated by the Chancellor for that purpose shall carry on the current duties of the office of the Vice-Chancellor.

11. (1) The Vice-Chancellor shall be the principal executive and academic officer of the University and shall, in the absence of the Chancellor, preside at meetings of the Senate and any convocation of the University. He shall be an *ex-officio* member and Chairman of the Syndicate, of the Academic Council and of the committees constituted under section 48. He shall be entitled to be present with the right to speak, at any meeting of any other authority or body of the University, but shall not be entitled to vote thereat unless he is a member of that authority or body.

(2) The Vice-Chancellor shall have power to convene meetings of the Senate, the Syndicate, the Academic Council and such other authorities of the University of which he is the chairman. He may delegate this power to any other officer of the University.

(3) It shall be the duty of the Vice-Chancellor to ensure that this Act, the Statutes, Ordinances, Regulations and Rules are faithfully observed and he shall have all powers necessary for this purpose.

(4) (a) In any emergency which, in the opinion of the Vice-Chancellor, requires that immediate action should be taken, he shall take such action as he deems necessary and shall at the earliest opportunity thereafter report his action to such officer, authority or body as would have in the ordinary course dealt with the matter.

(b) When action taken by the Vice-Chancellor under this sub-section affects any person in the service of the University such person shall be entitled to prefer an appeal through the said officer, authority or body to the Syndicate within one month from the date on which such action is communicated to him.

(5) The Vice-Chancellor shall give effect to the orders of the Syndicate regarding appointment, dismissal, suspension and punishment of the persons in

the service of the University or teachers of the University or regarding the recognition or withdrawal of the recognition of any such teacher and shall exercise general control over the affairs of the University. He shall be responsible for the discipline of the University in accordance with this Act, the Statutes and Ordinances.

(6) The Vice-Chancellor shall exercise such other powers as may be prescribed by the Statutes, Ordinances and Regulations.

The Rector. 12. (1) (a) The Senate may, by resolution, decide that appointment shall or shall not be made to the office of the Rector :

Provided that nothing in this section shall entitle the Senate to decide that the first Rector appointed under section 63 shall vacate his office during the period of his appointment.

(b) If the Senate decides under clause (a) that appointment shall be made to the office of the Rector, the Rector shall be appointed by the Chancellor on the recommendation of the Vice-Chancellor. The Rector shall be a wholetime salaried officer and his emoluments and conditions of service shall be determined by the Statutes.

(2) The Rector shall be the principal inspecting officer of the University and his powers and duties shall be such as may be prescribed by the Statutes. He shall also exercise such powers and perform such duties as may be delegated to him by the Vice-Chancellor, and shall, in the absence of the Vice-Chancellor, preside at all meetings and exercise all the powers and perform all the duties of the Vice-Chancellor.

The Registrar.

13. The Registrar shall be a wholetime salaried officer and shall act as the Secretary of the Senate, of the Syndicate and of the Academic Council. He shall be appointed by the Syndicate in accordance with the Statutes to be made in this behalf, and his emoluments and conditions of service shall be determined by such Statutes. He shall exercise such powers and perform such duties as may be prescribed by the Statutes, Ordinances and Regulations.

The Controller of Examinations, and other officers, and their powers, etc.

14. (1) The Controller of Examinations shall be a wholetime salaried officer. He shall be appointed by the Syndicate in accordance with the Statutes to be made in this behalf.

(2) The powers, duties, and emoluments of the Controller of Examinations, and other officers of the University referred to in clause (vii) of section 8 shall be such as may be prescribed by the Statutes, Ordinances and Regulations.

(ii) The Director of Education, or if he is unable to attend, his nominee not below the rank of a Deputy Director of Education,

(iii) The Director of Technical Education, or if he is unable to attend, his nominee not below the rank of Deputy Director of Technical Education,

(iv) The Director of Health and Medical Services, or if he is unable to attend, his nominee not below the rank of a Deputy Director of Health and Medical Services,

(v) The Director of Agriculture or if he is unable to attend, his nominee not below the rank of a Deputy Director of Agriculture,

(vi) The Chairman of the Secondary Schools Certificate Examination Board, Gujarat State,

(vii) such other ex-officio members not exceeding three as may be designated by statutes;

(C) (i) Heads of University departments,

(ii) Principals of affiliated degree colleges,

(iii) Heads of recognised institutions.

Class II — Ordinary Members

(A) Elected as specified below :—

(i) two members by secondary teachers of high schools excluding the head masters thereof from amongst such teachers in the manner specified by the Statutes;

(ii) two members by head masters from amongst themselves in the manner specified by the Statutes;

(iii) such number of members as is specified below against each Faculty by teachers including Principals, Heads of University departments and Heads of recognised institutions in the subject or subjects comprised in each such Faculty in the following manner :—

(a) Teachers in Arts
(from amongst themselves)

CHAPTER IV

AUTHORITIES OF THE UNIVERSITY

15. The following shall be the authorities of the University, namely :—

Authorities
of the
University.

- (i) The Senate,
- (ii) The Syndicate,
- (iii) The Academic Council,
- (iv) The Faculties,
- (v) The Board of University Teaching,
- (vi) The Boards of Studies,
- (vii) The Board of Extra-Mural Studies, if established.
- (viii) The Board for Hostels, if established,
- (ix) The Board for Students Welfare, if established, and
- (x) such other Boards and bodies of the University as may be declared by the Statutes to be the authorities of the University.

16. (I) The Senate shall consist of the following members, namely :—

The Senate.

Class I — Ex-officio Members

- (A) (i) The Chancellor,
- (ii) The Vice-Chancellor,
- (iii) Ex-Vice-Chancellors of the University residing in the State,
- (iv) The Rector, if any,
- (v) The Registrar;
- (B) (i) Secretary, Education Department,

(e) the following number of members who shall not be persons who are teachers or secondary teachers or head masters by registered graduates in the manner specified below:—

- (1) one by registered graduates in Arts (from amongst themselves);
- (2) one by registered graduates in Science (from amongst themselves);
- (3) one by registered graduates in Technology including Engineering (from amongst themselves);
- (4) one by registered graduates in Agriculture (from amongst themselves);
- (5) one by registered graduates in Law (from amongst themselves);
- (6) one by registered graduates in Medicine (from amongst themselves);
- (7) one by registered graduates in Commerce (from amongst themselves);
- (8) one by registered graduates in Education (from amongst themselves);
- (9) one by registered graduates in Rural Studies (from amongst themselves);
- (10) one by registered graduates in each of such other additional Faculties as may be prescribed by the Statutes (from amongst themselves);

Provided that—

(i) every person elected under clauses (i) to (iii) and under sub-clauses (a) to (e) of clause (iv) shall continue to hold the office of a member of the Senate only so long as he is a secondary teacher or head master or a teacher or a member of the electing body or bodies, as the case may be;

(ii) for the purposes of the election of ordinary members a person entitled to stand as a candidate or to vote in more than one constituency mentioned in clause (iii) and in sub-clause (e) of clause (iv) shall, before such date as may be appointed by the Statutes, select the constituency from which he desires to stand as a candidate or to vote at the election and shall not be entitled to stand or vote in more than one constituency.

- (b) Teachers in Science 2
(from amongst themselves)
- (c) Teachers in Technology 2
including Engineering
(from amongst themselves)
- (d) Teachers in Agriculture 1
(from amongst themselves)
- (e) Teachers in Law 1
(from amongst themselves)
- (f) Teachers in Medicine 2
(from amongst themselves)
- (g) Teachers in Commerce 1
(from amongst themselves)
- (h) Teachers in Education 1
(from amongst themselves)
- (i) Teachers in Rural Studies 1
(from amongst themselves)
- (j) Teachers in each such 1
additional Faculty as may
be prescribed by the Statutes
(from amongst themselves)

(iv) by public associations or bodies as under :

- (a) one member by the Surat Borough Municipality,
- (b) one member by the Presidents of the Municipalities functioning within the University Area, from amongst themselves,
- (c) out of the Presidents of district panchayats functioning in the University Area, one President by rotation as may be prescribed by Statutes,
- (d) two members by the Gujarat Legislative Assembly from amongst its members.

Powers and
duties of
the Senate.

18. (1) Subject to such conditions as may be prescribed by or under the provisions of this Act, the Senate shall exercise the following powers and perform the following duties, namely:—

(i) to make provision for instruction, teaching and training in such branches of learning and courses of study as it may think fit, for research and for the advancement and dissemination of knowledge;

(ii) to make such provision as will enable affiliated colleges and recognised institutions to undertake specialization of studies;

(iii) to organise and make provision for common laboratories, libraries, museums and other equipment for teaching and research;

(iv) to establish and maintain departments and institutes of research and specialized studies;

(v) to institute professorships, readerships, lectureships and any other posts of teachers required by the University;

(vi) to institute fellowships, travelling fellowships, scholarships, studentships, exhibitions, medals and prizes;

(vii) to institute and confer degrees, titles, diplomas and other academic distinctions;

(viii) to confer, on the recommendation of the Syndicate, honorary degrees, titles or other academic distinctions;

(ix) to make, amend or repeal the Statutes;

(x) to consider, cancel, refer back but not to amend Ordinances;

(xi) to consider and pass resolutions on the annual reports, annual accounts and financial estimates;

(xii) to consider the annual financial estimates prepared by the Syndicate and pass resolution with reference thereto;

(xiii) to elect office-bearers and authorities as provided in the Act and the Statutes;

(xiv) to make provision relating to the use of Gujarati or Hindi in Devnagari script or both as a medium of instruction and examination;

(xv) to exercise such other powers and perform such other duties as may be conferred or imposed upon it by this Act or the Statutes, Ordinances and Regulations.

(2) The powers and duties under clauses (i) to (viii) of sub-section (1) shall not be exercised except upon the recommendations made by the Syndicate and the Academic Council.

(B) Eight members to be nominated by the State Government from amongst distinguished educationists, social workers, trade unions, representatives of backward communities, women and such other class of persons.

(C) Two members to be elected by the donors in the manner specified below from amongst themselves each donating money or property of the value of not less than one lakh of rupees to, or for the purposes of, the University.

(i) If the donor is an individual, for the purpose of voting, the name of each such donor shall be enrolled on the register maintained by the University.

(ii) If the donor is an undivided Hindu family, trust, firm, company, or body corporate, for the purpose of voting, the name of the representative nominated from time to time by each such undivided Hindu family, trust, firm, company or body corporate shall be enrolled on the register maintained by the University.

(iii) Where sub-clause (iv) does not apply, the persons whose names are enrolled on the register under sub-clauses (i) and (ii) shall elect two members to the Senate.

(iv) If the number of the names enrolled under sub-clauses (i) and (ii) is two or less than two, each person whose name is so enrolled shall be deemed to have been elected:

Provided that the right of electing members on the Senate shall not extend beyond the period of twenty years from the date of the acceptance of such donation by the Syndicate.

Explanation.—For the purposes of paragraph (C), the value of the property means, in the case of a property donated whether prior to or after the date of the coming into force of this Act, the market value of the property at the date of acceptance. The decision as to the market value shall rest with the Syndicate and shall be final.

(2) The term of office of the elected members and of the members referred to in paragraph (B) in Class II shall be five years.

17. (1) The Senate shall, on a date to be fixed by the Chancellor, meet once a year at a meeting to be called the annual meeting of the Senate. Meeting of
the Senate

(2) The Vice-Chancellor may, whenever he thinks fit, and shall, upon a requisition in writing signed by not less than twenty members of the Senate, convene a Special meeting of the Senate.

19. (1) The Syndicate shall be the executive authority of the University and shall consist of the following, namely:—

The Syndicate.

- (i) The Vice-Chancellor, ex-officio Chairman;
- (ii) The Rector, if any;
- (iii) The Director of Education, Gujarat State or, if he is unable to attend, the officer nominated by him under section 16;
- (iv) two members to be elected by the Principals of affiliated degree colleges and the heads of recognised institutions from amongst themselves;
- (v) one member to be elected by the teachers elected to the Senate under section 16(I) Class II (A) (iii) from amongst themselves;
- (vi) one member to be elected by the Heads of the University departments from amongst themselves;
- (vii) five persons elected by the Senate from amongst its members who are not Principals, teachers, heads of the University departments, head masters, heads of recognised institutions and secondary teachers;
- (viii) two persons elected by the Academic Council from amongst its members one of whom shall be a Dean;

Provided that a member elected under clauses (iv) to (viii) shall cease to hold office as such member if he ceases to be a member of the Senate, or a Dean, or a teacher, or a head of the University Department or a Principal or a member of the Academic Council, as the case may be.

(2) The term of office of the elected members of the Syndicate shall be three years.

20. (1) Subject to such conditions as may be prescribed by or under the provisions of this Act, the Syndicate shall exercise the following powers and perform the following duties, namely:—

Powers and duties of the Syndicate.

- (i) to hold, control and administer the property and funds of the University;
- (ii) to enter into, vary, carry out and cancel contracts on behalf of the University in the exercise or performance of the powers and duties assigned to it by the Act and the Statutes, on the advice of the Finance Committee, if any, and the Legal Committee, if any, appointed by the Syndicate;
- (iii) to determine the form, provide for the custody and regulate the use, of the common seal of the University;
- (iv) to administer funds placed at the disposal of the University for specific purposes;
- (v) to frame the annual financial estimates of the University and to submit them to the Senate;
- (vi) after the financial estimates are voted by the Senate—
 - (a) to reduce the amount of the budget grant,

(b) to sanction the transfer of any amount within a budget grant from one minor head to another or from a subordinate head under one minor head to a subordinate head under another minor head, or

(c) to sanction the transfer of any amount not exceeding rupees five thousand within a minor head from one subordinate head to another or from one primary unit to another;

(vii) to make provisions for buildings, premises, furniture, apparatus and other means needed for carrying on the work of the University;

(viii) to accept on behalf of the University, bequests, donations and transfers of any movable or immovable property to the University;

(ix) to transfer any movable or immovable property on behalf of the University;

(x) to raise loans on the security of the assets of the University;

(xi) to manage and regulate the finances, accounts and investments of the University;

(xii) to institute and manage—

(a) Printing and Publication Department;

(b) University Extension Boards,

(c) Information Bureaux, and

(d) Employment Bureaux;

(xiii) to make provision—

(a) for extra-mural teaching and research;

(b) for physical education, National Cadet Corps and military training;

(xiv) to manage colleges, departments, institutes of research or specialised studies, laboratories, libraries, museums and hostels maintained by the University;

(xv) to recognise hostels and to provide housing accommodation for University teachers and to other employees;

(xvi) to register high schools situate outside the State of Gujarat as may be provided by the Statutes;

(xvii) to arrange for and direct the inspection of affiliated colleges, recognised institutions, approved institutions and hostels, to issue instructions for maintaining their efficiency and for ensuring proper conditions of employment for members of their staff, and in case of disregard of such instructions, to modify the conditions of their affiliation or recognition or take such other steps as it deems proper;

(xviii) to call for reports, returns and other information from colleges, recognised institutions, approved institutions or hostels;

(xix) to supervise and control the residence, conduct and discipline of the students of the University and to make arrangements for promoting their health and general welfare;

(xx) to recommend to the Senate the conferment of honorary degrees, and academic distinctions in the manner prescribed by the Statutes;

(xxi) to award fellowships, travelling fellowships, scholarships, studentships, exhibitions, medals and prizes;

(xxii) to appoint teachers and servants of the University, fix their emoluments, if any, and define their duties and the conditions of their service and discipline;

(xxiii) to recognise a member of the staff of an affiliated college or recognised institution or approved institution as professor, reader, lecturer or teacher of the University and withdraw such recognition;

(xxiv) to appoint examiners, to fix their remuneration and to arrange for the conduct of and for publishing the results of the University examinations and other tests;

(xxv) to fix, demand and receive such fees and other charges as may be prescribed by the Ordinances;

(xxvi) to make, amend and cancel the Ordinances;

(xxvii) to exercise such other powers and perform such other duties as may be conferred or imposed on it by this Act, Statutes, Ordinances and Regulations;

(xxviii) to exercise all powers of the University not otherwise provided for in this Act or the Statutes and all other powers which are requisite to give effect to the provisions of this Act or the Statutes.

(2) The Syndicate shall make a report to the Senate about all acceptances of property referred to in clause (viii) of sub-section (1).

(3) The Syndicate shall not transfer any immovable property without the previous sanction of the Senate.

(4) The Syndicate may by Ordinances appoint committees to carry out its administrative work and define their constitution, functions and tenure.

21. (1) The Academic Council shall be the academic body of the University and shall consist of the following persons, namely :—

The Academic Council,

(i) The Vice-Chancellor—*Ex-officio* chairman;

(ii) The Rector, if any;

(iii) The Deans of Faculties;

(iv) One member other than the Dean elected by each Faculty from amongst its members;

(v) Two members nominated by the Syndicate from amongst its own members.

(2) The term of office of the members of the Academic Council other than *ex-officio* members shall be three years.

Powers and
duties of
the Academic
Council.

22. (1) The Academic Council shall have the control and general regulation of, and be responsible for, the maintenance of the standards of teaching and examinations of the University.

(2) Without prejudice to the generality of the foregoing provision and subject to such conditions as may be prescribed by or under the provisions of this Act, the Academic Council shall exercise the following powers and perform the following duties, namely :—

(i) to approve Regulations made by the Faculty concerned laying down courses of study;

(ii) to approve Regulations made by the Faculty concerned regarding the special courses of study;

(iii) to arrange for coordination of studies and teaching in affiliated colleges, recognised institutions and approved institutions;

(iv) to promote research within the University;

(v) to approve proposals for allocating subjects to the Faculties;

(vi) to make proposals for the establishment of departments, institutes of research and specialised studies, libraries, laboratories and museums;

(vii) to approve and recommend to the Senate proposals for the institution of professorships, readerships, lectureships and any other posts of teachers required by the University and for prescribing the duties and fixing the emoluments of such posts;

(viii) to approve and recommend to the Senate proposals for the institution of fellowships, travelling fellowships, scholarships, studentships, exhibitions, medals and prizes;

(ix) to make Regulations regarding the examinations of the University and the conditions on which students shall be admitted to such examinations;

(x) to approve Regulations prescribing equivalence of examinations;

(xi) to approve Regulations prescribing the manner for granting exemptions from approved courses of studies in the University or in affiliated colleges for qualifying for degrees, diplomas and other academic distinctions;

(xii) to recommend to the Syndicate affiliations of colleges;

(xiii) to exercise such other powers and perform such other duties as may be conferred or imposed on it by this Act, Statutes, Ordinances and Regulations; and

(xiv) generally to advise the University on all academic matters.

23. (1) The University shall include the Faculties of Arts, Education, Science, Technology including Engineering, Agriculture, Law, Medicine, Commerce and Rural Studies and such other Faculties as may be prescribed by the Statutes. Each Faculty shall comprise such subjects as may be prescribed by the Statutes.

(2) Each Faculty shall consist of:—

(i) such of the members of the Senate as are assigned to the Faculty by the Syndicate,

(ii) the Chairmen of the Boards of Studies for the subjects with which the Faculty is concerned, and

(iii) one member elected by each such Board of Studies from amongst its members other than the Chairman :

Provided that no member of the Senate shall be assigned to more than one Faculty.

(3) A teacher in a subject included in more Faculties than one shall, within one month from the date on which he becomes a member of the Senate, select by intimation in writing to the Registrar, any one of such Faculties to which he wishes to be assigned. If he fails to make such selection, the Syndicate shall assign to him any one of such Faculties. A selection or assignment so made shall be irrevocable for the entire term of his membership.

24. (1) The Faculty shall have the general control and power of regulation of, and be responsible for, the maintenance of standards of teaching and examinations of the University for the subjects assigned to the Faculty.

Powers and
duties of the
Faculty.

(2) Without prejudice to the generality of the foregoing provision and subject to such conditions as may be prescribed by or under the provisions of this Act, the Faculty shall exercise the following powers and perform the following duties, namely:—

(i) to make Regulations in consultation with the Boards of Studies concerned laying down courses of study;

(ii) to make Regulations regarding the special courses of study;

(iii) to make Regulations for the standards of passing the relevant examinations in the Faculty and for awarding classes at the examinations;

(iv) to make proposals for promoting research within the University;

(v) to make proposals for allocating subjects to the Faculty;

(vi) to make proposals for the establishment of departments, institutes of research and specialised studies, libraries, laboratories and museum;

(vii) to make proposals for the institution of professorships, readerships, lecturership and any other posts of teachers required by the University and for prescribing the duties and fixing the emoluments of such posts;

(viii) to make proposals for the institution of fellowships, travelling fellowships, scholarships, studentships, exhibitions, medals and prizes and to make Regulations for their award;

(ix) to make Regulations for the maximum work-load of teachers, the minimum teaching work for every subject and the minimum laboratory work and any other prescribed work to be done by students for any subject;

(x) to make Regulations prescribing equivalence of examinations;

(xi) to make Regulations prescribing the manner for granting exemption from approved courses of studies in the University or in affiliated colleges for qualifying for degrees, diplomas and other distinctions;

(xii) to exercise such other powers and perform such other duties as may be conferred or imposed on it by this Act, Statutes, Ordinances and Regulations; and

(xiii) generally to advise the University on all academic matters pertaining to the concerned courses of studies.

Deans of
Faculties.

25. (1) There shall be a Dean of each Faculty who shall be elected by the Faculty from amongst its members, provided that he is a member of the Senate and also a teacher or a Principal.

(2) The Dean shall hold office for a term of three years and shall be eligible for re-election for a further term of three years only.

(3) The Dean shall be the principal executive authority of the Faculty, and shall exercise the following powers and perform the following duties, namely:—

(i) he shall be the chairman of the Faculty and shall preside at its meetings;

(ii) he may attend the meeting of any Board of Studies in the Faculty;

(iii) he shall supervise and coordinate the work of the different Boards of Studies under the Faculty;

(iv) he shall plan and organise seminars, refresher courses, and workshops, etc. pertaining to the subjects under the Faculty;

(v) he shall inspect and guide the University departments, affiliated colleges, recognised institutions and approved institutions in respect of subjects under the Faculty;

(vi) he shall be responsible for the due observance of the Statutes, the Ordinances, and the Regulations relating to the Faculty; and

(vii) he shall recommend to the Syndicate for approval, proposals for the programmes of visiting teachers and for the exchange of teachers.

26. (1) There shall be a Board of Studies for every subject or group of subjects as may be prescribed by the Statutes. Boards of Studies.

(2) Subject to the provisions of sub-section (3) each Board shall consist of:—

(i) the head of the University department, if any, in the subject;

(ii) heads of the departments in the special subjects taught at degree level in the colleges and recognised institutions;

(iii) not more than three experts in the subject co-opted by the members of the Board;

(3) Each Board shall consist of at least four members :

Provided that where the number of members is less than four, the Vice-Chancellor shall nominate such number of members as may be necessary to make up the deficiency, subject, however to the condition that the total number of co-opted and nominated members shall not exceed three.

(4) The chairman of the Board shall be elected by the members of the Board, from amongst the members specified in clauses (i) and (ii) of sub-section (2). The person to be elected as Chairman shall, as far as possible, be a person qualified to teach Post-graduate courses.

(5) The powers and duties of a Board of Studies shall be as follows:—

(i) to recommend courses of studies in the subject;

(ii) to recommend and prescribe where necessary, books for study in the subject;

(iii) to recommend programmes for extension services and research in the subject,

(iv) to recommend organisation of seminars, refresher courses and workshops to the Dean of the Faculty;

(v) to recommend programmes for experiments and research in the courses of studies prescribed in the subject;

(vi) to recommend schemes for preparation and translation of books in the subject and suggest bibliography of books of study;

(vii) to frame and propose Regulations pertaining to the courses of studies and examinations in the subject;

(viii) to review periodically the terminology current in the subject; and

(ix) such other powers and duties as may be prescribed by the Statutes.

(6) A Board of Studies shall meet at least twice during an academic term as determined by Ordinances.

(7) The term of office of a Board of Studies shall be three years.

University
Boards.

27. The University may establish a Board of Extra-Mural Studies, a Board for Students' Welfare and a Board for Hostels and such other Boards as may be prescribed by the Statutes.

Constitution,
powers etc.,
of Boards.

28. (1) The constitution, powers and duties of the Boards and bodies as are under this Act or as may be declared by the Statutes to be, authorities of the University shall be as prescribed by the Statutes.

(2) The constitution, powers and duties of other Boards shall be as prescribed by the Ordinances.

CHAPTER V

STATUTES, ORDINANCES AND REGULATIONS

Statutes.

29. Subject to such conditions as may be prescribed by or under the provisions of this Act, the Statutes may provide for all or any of the following matters, namely:—

(i) conferment of honorary degrees;

(ii) holding of convocations to confer degrees;

(iii) powers and duties of the officers of the University;

(iv) constitution, powers and duties of the authorities of the University, save as provided in this Act;

(v) institution and maintenance by the University of departments, institutes of research or specialised studies and hostels;

(vi) acceptance and management of bequests, donations and endowments;

(vii) registration of graduates and maintenance of a register of registered graduates;

(viii) procedure at meetings of the authorities of the University and for the transaction of their business;

(ix) qualifications of professors, readers, lecturers and teachers in affiliated colleges and recognised institutions;

(x) all matters which by this Act are to be or may be prescribed by the Statutes.

30. (1) The Statutes may be made by the Senate or may be amended, repealed or added to by Statutes made by the Senate in the manner hereinafter provided.

Making,
amendment,
operation
and repeal
of Statutes.

(2) The Senate may take into consideration the draft of a Statute either of its own motion or on a proposal by the Syndicate.

(3) The Syndicate may propose to the Senate draft of any Statute to be passed by the Senate.

(4) Such draft shall be considered by the Senate at its next succeeding meeting. The Senate may approve such draft and pass the Statute or may reject it or return it to the Syndicate for reconsideration either in whole or in part together with any amendments which the Senate may suggest. After any draft so returned has been further considered by the Syndicate together with any amendments suggested by the Senate, it shall be again presented to the Senate with the report of the Syndicate thereon and the Senate may then deal with the draft in any manner it thinks fit.

(5) Where a Statute affects the powers or duties of any officer, authority or Board of the University—

(i) the Syndicate shall, before proposing the draft of such Statute, ascertain and consider the views of the officer, authority or Board concerned; and

(ii) the Senate, before passing any such Statute taken into consideration of its own motion, shall ascertain and consider the views of the officer, authority or Board concerned and the opinion of the Syndicate.

(6) Every Statute passed by the Senate shall be submitted to the Chancellor who may give or withhold his assent thereto or refer it back to the Senate for consideration.

(7) No Statute passed by the Senate shall have validity until assented to by the Chancellor.

Ordinances.

31. Subject to such conditions as may be prescribed by or under the provisions of this Act, the Syndicate may make Ordinances to provide for all or any of the following matters :

- (i) conditions under which students shall be admitted to courses of studies for degrees, diplomas and other academic distinctions;
- (ii) conditions governing the appointment and the duties of examiners;
- (iii) conduct of examinations;
- (iv) recognition of teachers of the University;
- (v) conditions of residence, conduct and discipline of students of the University;
- (vi) recognition of hostels;
- (vii) inspection of affiliated colleges, recognised institutions, approved institutions and hostels;
- (viii) rules to be observed and enforced by colleges and recognised institutions and approved institutions in respect of transfer of students;
- (ix) mode of execution of contracts or agreements for, or on behalf of, the University;
- (x) matters which by this Act or the Statutes are to be or may be provided for by the Ordinances; and
- (xi) generally all matters for which provision is, in the opinion of the Syndicate, necessary for the exercise of the powers conferred or the performance of the duties imposed upon the Syndicate by this Act or the Statutes.

Making of Ordinances.

32. (1) Ordinances shall be made by the Syndicate :

Provided that no Ordinance concerning the matters referred to in clauses (i) to (iv) of section 31 or any other matter connected with the maintenance of the standards of teaching and examinations within the University shall be made unless a draft of the same has been proposed by the Academic Council.

(2) The Syndicate shall not have power to amend any draft proposed by the Academic Council under sub-section (1) but may reject it or return it to the Academic Council for reconsideration, either in whole or in part together with any amendments which the Syndicate may suggest.

(3) All Ordinances made by the Syndicate shall, except as provided by this Act, have effect from such date as it may direct but every Ordinance so made shall be laid before the Senate and shall be considered by the Senate at its next succeeding meeting.

(4) The Senate shall have power by a resolution to cancel or to refer back but not to amend any such Ordinance. The resolution cancelling any such Ordinance shall be passed by a majority of not less than two-thirds of the members present at such meeting, the majority comprising not less than one-half of the members of the Senate.

(5) The Vice-Chancellor shall, on application of not less than one-third of the members of the Senate, suspend the operation of any such Ordinance until the Senate has considered it as provided in sub-section (3).

33. (1) The Academic Council, or as the case may be the Faculty may, Regulations and Rules. subject to the approval of the Academic Council, make Regulations, consistent with this Act, the Statutes and the Ordinances providing for all matters which by this Act, the Statutes or the Ordinances are to be provided for by Regulations and for all other matters solely concerning itself.

(2) Any authority of the University specified in clauses (v) to (x) of section 15 may, subject to the approval of the Syndicate, make rules, consistent with this Act, the Statutes, Ordinances and Regulations, providing for all matters solely concerning such authority.

CHAPTER VI

AFFILIATION, RECOGNITION AND APPROVAL

34. (1) A college applying for affiliation to the University shall send a letter Affiliation. of application to the Registrar, and shall satisfy the Syndicate and the Academic Council—

(a) that the college will supply a need in the locality, having regard to the type of education intended to be provided by the college, the existing provision for the same type of education made by other colleges in the neighbourhood, and the suitability of the locality where the college is to be established;

(b) that the college is to be under the management of a regularly constituted governing body;

(c) that the strength and qualifications of the teaching staff and the conditions governing their tenure of office are such as to make due provision for the courses of instruction, teaching or training to be undertaken by the college;

(d) that the buildings in which the college is to be located are suitable, and that provision will be made, in conformity with the Ordinances, for the residence in the college or in lodgings approved by the college, of students not residing with their parents or guardians, and for the supervision and welfare of students;

- (e) that due provision has been made or will be made for a library;
 - (f) where affiliation is sought in any branch of experimental science, that arrangements have been or will be made in conformity with the Statutes, Ordinances and Regulations for imparting instruction in that branch of science in a properly equipped laboratory or museum;
 - (g) that due provision will, as far as circumstances may permit, be made for the residence of the Principal and some members of the teaching staff in or near the college or the place provided for the residence of the students;
 - (h) that the financial resources of the college are such as to make due provision for its continued maintenance and efficient working; and
 - (i) that the college rules fixing the fees (if any) to be paid by the students have not been so framed as to involve such competition with any existing college in the same neighbourhood as would be injurious to the interests of education.
- (2) The application shall contain an assurance that after the college is affiliated, any transference of management and all changes in the teaching staff and all other changes which result in any of the aforesaid requirements not being fulfilled or continued to be fulfilled shall be forthwith reported to the Syndicate.

(3) On receipt of a letter of application under sub-section (1) the Syndicate shall—

- (a) direct a local inquiry to be made by a competent person or persons authorised by the Syndicate in this behalf in respect of the matters referred to in sub-section (1) and such other matters as may be deemed necessary and relevant;
 - (b) make such further inquiry as may appear to it to be necessary;
 - (c) give due consideration to the request, if any, made by the applicant for a reconsideration of any of the conditions conveyed to him;
 - (d) record its opinion after consulting the Academic Council on the question whether the application should be granted or refused either in whole or in part, stating the result of any inquiry under clauses (a), (b) and (d) of sub-section (1).
- (4) The Registrar shall submit the application and all proceedings, if any, of the Academic Council and the Syndicate relating thereto, to the State Government which, after such inquiry as may appear to it to be necessary, shall grant or refuse the application or any part thereof.
- (5) Where the application or any part thereof is granted, the order of the State Government shall specify the courses of instruction in respect of which the

college is affiliated, and, where the application or any part thereof is refused, the grounds of such refusal shall be stated.

(6) As soon as possible after the State Government makes its order, the Registrar shall submit to the Senate a full report regarding the application, the action taken thereon under sub-sections (3) to (5) and of all proceedings connected therewith.

(7) An application under sub-section (1) may be withdrawn at any time before an order is made under sub-section (4).

35. Where a college desires to add to the courses of instruction in respect of which it is affiliated the procedure prescribed by section 34 shall, so far as may be, be followed.

36. (1) The Syndicate shall have the power after consultation with the Academic Council, to recognise as a recognised institution any institution of research or specialised studies other than a college.

Recognition
of institu-
tions of
research and
specialised
studies.

(2) An institution which desires to have such recognition shall send a letter of application to the Registrar and shall give full information in the letter of application in respect of the following matters, namely:—

(a) constitution and personnel of the managing body;

(b) subjects and courses in regard to which recognition is sought;

(c) accommodation, equipment, library facilities and the number of students for whom provision has been or is proposed to be made;

(d) the strength of the staff, their qualifications and salaries and the research work done by them;

(e) fees levied or proposed to be levied and the financial provision made for capital expenditure on buildings and equipment and for the continued maintenance and efficient working of the institution.

(3) Before taking the application into consideration the Syndicate may call for any further information which it may deem necessary.

(4) If the Syndicate decides to take the application into consideration, it may direct a local inquiry to be made by a competent person or persons authorised by it in this behalf. After considering the report made as a result of such local inquiry and making such further inquiry as may appear to it to be necessary, the Syndicate shall, after obtaining the opinion of the Academic Council, grant or refuse the application or any part thereof. Where the application or any part

thereof is granted, the Syndicate shall specify the subjects and courses of instruction in respect of which the institution is recognised and make a report to that effect to the Academic Council and the Senate at their next succeeding meetings. Where the application or any part thereof is refused, the grounds of such refusal shall be stated.

Approval of Institutions. 37. (1) The Syndicate shall have the power after consultation with the Academic Council, to approve an institution as an "approved institution" for specialised studies, laboratory work, intership, research or other academic work approved by the Academic Council, under the guidance of a single qualified teacher.

(2) An institution which desires to have such approval shall send a letter of application to the Registrar and shall give full information in the letter of application in respect of the following matters, namely :—

(a) the name, qualifications, experience and research work of the teacher under whom approved work is to be done;

(b) the nature of work or the subjects for which work is proposed to be done;

(c) accommodation, equipment, library facilities, and the number of students for whom provision has been made or is proposed to be made;

(d) fees levied or proposed to be levied and the financial provision made for capital expenditure on buildings and equipment and for the continued maintenance and efficient working of the institution.

(3) Before taking the application into consideration the Syndicate may call for any further information which it may deem necessary.

(4) If the Syndicate decides to take the application into consideration, it may direct a local inquiry to be made by a competent person or persons authorised by it in this behalf. After considering the report made as a result of such local inquiry and making such further inquiry as may appear to it to be necessary, the Syndicate shall, after obtaining the opinion of the Academic Council, grant or refuse the application or any part thereof. Where the application or any part thereof is granted, the Syndicate shall specify the subjects and courses of instruction in respect of which the institution is approved and make a report to that effect to the Academic Council and the Senate at their next succeeding meetings. Where the application or any part thereof is refused, the grounds of such refusal shall be stated.

Inspection of colleges and reports.

38. (1) Every affiliated college, recognised institution and approved institution shall furnish such reports, returns and other information as the Syndicate, after consulting the Academic Council, may require to enable it to judge the efficiency of the college or institution.

(2) The Syndicate shall cause every such college or institution to be inspected from time to time by one or more competent persons authorised by the Syndicate in this behalf.

(3) The Syndicate may call upon any college or institution so inspected to take, within a specified period, such action as may appear to it to be necessary in respect of any of the matters referred to in sub-section (1) of section 34 and sub-section (2) of section 36, or as the case may be, sub-section (2) of section 37.

39. (1) The rights conferred on a college by affiliation may be withdrawn in whole or in part or modified if the college has failed to carry out any of the provisions of sub-section (1) of section 34 or the college has failed to observe any of the conditions of its affiliation or the college is conducted in a manner which is prejudicial to the interests of education.

(2) A motion for the withdrawal or the modification of such rights shall be initiated only in the Syndicate. The member of the Syndicate who intends to move such a motion shall give notice of it and shall state in writing the grounds on which it is made.

(3) Before taking the said motion into consideration the Syndicate shall send a copy of the notice and written statement mentioned in sub-section (2) to the principal of the college concerned together with an intimation that any representation in writing submitted within a period specified in such intimation on behalf of the college will be considered by the Syndicate:

Provided that the period so specified may, if necessary, be extended by the Syndicate.

(4) On receipt of the representation or on the expiry of the period referred to in sub-section (3), the Syndicate after considering the notice of motion, statement and representation, and after such inspection by competent person or persons authorised by the Syndicate in this behalf, and such further inquiry as may appear to it to be necessary and after consulting the Academic Council, shall make a report to the Senate.

(5) On receipt of the report under sub-section (4) the Senate shall, after such further inquiry, if any, as may appear to it to be necessary, record its opinion in the matter :

Provided that no resolution of the Senate recommending the withdrawal of affiliation shall be deemed to have been passed by it unless the resolution has obtained the support of two-thirds of the members present at a meeting of the Senate, such majority comprising not less than one-half of the members of the Senate.

(6) The Registrar shall submit the proposal and all proceedings, if any, of the Academic Council, the Syndicate and the Senate relating thereto, to the State Government which, after such further inquiry, if any, as may appear to it to be necessary, shall make such order as it deems fit and communicate it to the Senate.

(7) Where by an order made under sub-section (6), the rights conferred by affiliation are withdrawn in whole or in part or modified, the grounds for such withdrawal or modification shall be stated in the order.

Withdrawal
of recogni-
tion.

40. (1) The rights conferred on an institution by recognition may be withdrawn or suspended for any period if the institution has failed to observe any of the conditions of its recognition or the institution is conducted in a manner which is prejudicial to the interest of education.

(2) A motion for such withdrawal or suspension shall be initiated only in the Syndicate. The member of the Syndicate who intends to move such a motion shall give notice of it and shall state in writing the grounds on which it is made.

(3) Before taking the said motion into consideration, the Syndicate shall send a copy of the notice and written statement mentioned in sub-section (2) to the head of the institution concerned, together with an intimation that any representation in writing submitted within a period specified in the intimation on behalf of the institution will be considered by the Syndicate :

Provided that the period so specified may, if necessary, be extended by the Syndicate.

(4) On receipt of the representation or on the expiry of the period referred to in sub-section (3) the Syndicate, after considering the notice of motion, statement and representation and after such inspection by any competent person or persons authorised by the Syndicate in this behalf, and after such further inquiry as may appear to it to be necessary, and after consulting the Academic Council, shall make a report to the Senate if the Syndicate decides that the recognition should be withdrawn or suspended. No such report for withdrawal or suspension shall be made unless a resolution to that effect is supported by at least two thirds of the members present at the meeting of the Syndicate.

(5) On receipt of the report under sub-section (4) the Senate shall, after such further inquiry, if any, as may appear to it to be necessary, decide whether the recognition should be withdrawn or suspended, as the case may be :

Provided that the recognition shall not be withdrawn or suspended unless a resolution of the Senate to that effect is supported by a majority of at least two-thirds of the members present at the meeting of the Senate, such majority comprising not less than one-half of the members of the Senate.

41. (1) The rights conferred on an institution by approval may be withdrawn or suspended for any period by the Syndicate if the institution has failed to observe any conditions of its approval or the work assigned to it is conducted in a manner which is prejudicial to the interest of education, or the teacher recognised by the University leaves the institution. Withdrawal of approval.

(2) Before making an order under sub-section (1) in respect of any approved institution, the Syndicate shall by notice in writing, call upon the institution to show cause within one month from the date of the receipt of the notice, why such an order should not be made. The period so given for showing the cause may, if necessary, be extended by the Syndicate.

(3) On receipt of the explanation, if any, made by the institution in reply to the notice, and where no such reply is received, on the expiry of the period referred to in sub-section (2), the Syndicate shall, after consulting the Academic Council and after such inquiry, if any, as may appear to it to be necessary, decide whether the approval should be withdrawn or as the case may be, suspended and make an order accordingly.

CHAPTER VII

POSTGRADUATE TEACHING

42. (1) Within the University Area all postgraduate instruction, teaching and training shall be conducted by the University or by such affiliated colleges or institutions and in such subjects as may be prescribed by the Statutes. Postgraduate teaching.

(2) For the purpose of organising and coordinating the postgraduate instruction, teaching and training in the University Area, there shall be constituted a Board to be known as the Board of University Teaching. The constitution, powers and duties of the Board shall be as prescribed by the Statutes.

(3) All postgraduate departments shall ordinarily be located at the head quarters of the University. However, the University may locate any of such departments at a place or places outside its headquarters.

(4) The University may maintain University centres at places other than the headquarters of the University on such terms and conditions as may be prescribed by the Statutes and Ordinances.

CHAPTER VIII

ENROLMENT AND DEGREES

43. No student shall be enrolled as a student of the University unless he has passed— Qualifications for enrolment of students of the University.

(i) the Secondary School Certificate Examination conducted by the Secondary School Certificate Examination Board in such subjects and with such standards of attainment as may be prescribed by the Statutes, or

(ii) the Entrance Examination, if any, which may be instituted by the University with the consent of the State Government, and held in such subjects and in such manner as may be prescribed by the Statutes, or

(iii) any other examination prescribed as equivalent to the examinations referred to in clauses (i) and (ii), and possess such further qualifications, if any, as may be prescribed by the Statutes.

Residence of students.

44. Every student of the University shall reside in a hostel or under such conditions as may be prescribed by the Ordinances.

Degrees, diplomas and other academic distinctions.

45. The Senate may institute and confer such degrees, diplomas and other academic distinctions as may be prescribed by the Statutes.

Honorary degree.

46. If not less than two-thirds of the members of the Syndicate recommend that an honorary degree, or other academic distinction, be conferred on any person on the ground that he is in their opinion, by reason of eminent position and attainments a fit and proper person to receive such degree or other academic distinction and where their recommendation is supported by a majority of not less than two-thirds of the members of the Senate present at a meeting of the Senate, such majority comprising not less than one-half of the members of the Senate, and the recommendation is confirmed by the Chancellor, the Senate may confer on such person the honorary degree or other academic distinction so recommended without requiring him to undergo any examination.

Removal from membership of University and withdrawal of degree or diploma.

47. (1) The Chancellor may, on the recommendation of the Syndicate and of the Senate supported by a majority of not less than two-thirds of the members of each body present at its meeting, such majority comprising not less than one-half of the members of each body, remove the name of any person from the register of graduates or withdraw from any person a diploma or degree if he has been convicted by a court of law of any offence which in the opinion of the Syndicate and the Senate, is a serious offence involving moral turpitude or if he has been guilty of scandalous conduct.

(2) No action under this section shall be taken unless the person concerned is given an opportunity to be heard in his defence in the manner prescribed by the Statutes.

CHAPTER IX

COMMITTEES

Committees.

48. All the authorities of the University shall have power to appoint committees. Such committees may include persons who are not members of the authority appointing the committee.

CHAPTER X

FINANCE

49. (1) The University shall establish a fund to be called the University Fund. University Fund.

(2) The following shall form part of or be paid into, the University Fund:—

(a) any contribution or grant by the State Government, the Union Government, or the University Grants Commission,

(b) the income of the University from all sources including income from fees and charges,

(c) bequests, donations, endowments and other grants, if any.

II of 1934. (3) The University Fund shall be kept in any scheduled bank as defined in the Reserve Bank of India Act, 1934, or in a co-operative bank approved by the State Government for the purpose or invested in securities authorised by the Indian Trusts Act, 1882, at the discretion of the Syndicate.

II of 1882.

50. (1) The annual accounts of the University shall be prepared under the direction of the Syndicate and shall be submitted to the State Government for audit. Annual accounts and financial estimates.

(2) The Syndicate shall, after the accounts are audited, submit a copy thereof along with a copy of the audit report to the Senate and to the State Government.

(3) The Syndicate shall also prepare, before such date as may be prescribed by the Statutes, the financial estimates for the ensuing year.

(4) The annual accounts and the financial estimates shall be considered by the Senate at its annual meeting and the Senate may pass resolutions with reference thereto and communicate the same to the Syndicate which shall take them into consideration and take such action thereon as it thinks fit; and finally adopt the accounts and financial estimates. The Syndicate shall inform the Senate at its next meeting of the action taken by it or of its reasons for taking no action.

51. The annual report of the University shall be prepared under the direction of the Syndicate and shall be submitted to the Senate on or before such date as may be prescribed by the Statutes and shall be considered by the Senate at the annual meeting. The Senate may pass resolutions thereon and communicate the same to the Syndicate which may take such action as it thinks fit, and the Syndicate shall inform the Senate at its next meeting of the action taken by it or of its reasons for taking no action. Annual Report.

CHAPTER XI

SUPPLEMENTARY PROVISIONS

- Conditions of Service. 52. Save as otherwise provided by or under this Act, every salaried officer and teacher of the University shall be appointed under a written contract. The contract shall be lodged with the Registrar of the University and a copy thereof shall be furnished to the officer or teacher concerned.
- Tribunal of Arbitration. 53. Any dispute arising out of a contract between the University and any officer or teacher of the University shall, on the request of the officer or teacher concerned, be referred to a Tribunal of Arbitration consisting of one member appointed by the Syndicate, one member nominated by the officer or teacher concerned and an umpire appointed by the Chancellor. The decision of the Tribunal shall be final and no suit shall lie in any Civil Court in respect of the matter decided by the Tribunal. Every such request shall be deemed to be submission to arbitration upon the terms of this section within the meaning of the Indian Arbitration Act, 1940 and the provisions of that Act shall apply ^{X of} 1940. accordingly.
- Pension, Insurance and provident fund. 54. The University shall make adequate provisions for the benefit of its officers, teachers and other servants in such matters as insurance, pension, provident fund or other benefits as it may deem fit, in such manner and subject to such conditions as may be prescribed by the Statutes.
- Election to be by system of proportional representation. 55. Every election to any authority of the University made under this Act shall be made according to the system of proportional representation by means of a single transferable vote by ballot in such manner as may be prescribed by the Statutes.
- Vacating of office. 56. (1) Any member of any authority or body of the University may resign his office by letter addressed to the Vice-Chancellor through the Registrar and the resignation shall take effect on its acceptance by the Vice-Chancellor or on the expiry of thirty days from the date of receipt of the letter by the Vice-Chancellor whichever event occurs earlier.
- (2) Any member of any authority or body of the University shall cease to be a member on his being convicted by a court of law of an offence, which in the opinion of the Syndicate, involves moral turpitude.
- Filling of casual vacancies. 57. When any vacancy occurs in the office of a member (other than an *ex-officio* member) of any authority or other body of the University before the expiry of the term of office of such member, the vacancy shall be filled up, as soon as conveniently may be, by the election, nomination, appointment or co-option, as the case may be, of a member who shall hold office so long only as the member in whose place he has been elected, nominated, appointed or co-opted, would have held it, if the vacancy had not occurred :

Provided that, if the vacancy be of an elected member of the Senate and occurs within six months preceding the date on which the term of office of such member expires, the vacancy shall not be filled.

58. No act or proceeding of any authority or other body of the University shall be invalidated merely by reason of any vacancy in its membership.

Proceedings
not invali-
dated by
vacancies.

59. If any question arises regarding the interpretation of any provision of this Act, or of any Statute, Ordinance, Regulation or Rule, or as to whether a person has been duly elected or appointed as, or is entitled to be or ceases to be, a member of any authority or other body of the University, the matter may be referred to on petition by any person or body directly affected or *suo motu* be referred by the Vice-Chancellor to the Chancellor and shall be so referred to the Chancellor if twenty members of the Senate so require. The Chancellor shall, after taking such advice as he deems necessary, decide the question and his decision shall be final.

Disputes as
to consti-
tutions of
University,
authority or
body.

60. All acts and orders in good faith done and passed by the University or any of its authorities, bodies or officers shall be final and no suit shall be instituted against or damage claimed from the University or its authorities, bodies or officers for anything purporting to be done in pursuance of this Act and the Statutes, Ordinances, Regulations and Rules thereunder.

Protection of
acts and
orders.

CHAPTER XII

TRANSITORY PROVISIONS

61. Notwithstanding anything contained in this Act, or the Statutes, Ordinances and Regulations made thereunder, any student of a college situate within the University Area and affiliated to the Gujarat University who immediately before the date on which section 5 came into force was studying or was eligible for any examination of the Gujarat University shall be permitted to complete his course in preparation therefor, and the University shall provide for such period and in such manner as may be prescribed by the Statutes for the instruction, teaching, training and examination of such students in accordance with the courses of studies of the Gujarat University.

Completion
of courses
of students
in colleges
affiliated to
the Gujarat
University.

62. Notwithstanding anything contained in section 10, the first Vice-Chancellor shall be appointed by the State Government as soon as practicable after the passing of this Act for a period not exceeding three years and on such terms and conditions as the State Government thinks fit.

Appointment
of first
Vice-Chan-
cellor.

63. Notwithstanding anything contained in section 12, the State Government shall appoint the first Rector for a period not exceeding three years and on such terms and conditions as the State Government thinks fit.

Appointment
of first
Rector.

Appointment
of first
Registrar.

64. Notwithstanding anything contained in section 13, the first Registrar shall be appointed by the State Government as soon as practicable after the passing of this Act for a period not exceeding four years and on such conditions as the State Government thinks fit.

Transitory
powers of
first Vice-
Chancellor.

65. (1) It shall be the duty of the first Vice-Chancellor —

(a) to give recognition to institutions, if any, as far as possible consistently with the provisions of section 36, and

(b) to make arrangements for constituting the Senate, the Syndicate, the Academic Council and other authorities of the University, within six months after the date of his appointment or such longer period not exceeding one year as the State Government may, by notification in the *Official Gazette*, direct.

(2) The first Vice-Chancellor shall, with the assistance of the Advisory Committee consisting of not more than fifteen members nominated by the State Government,—

(a) subject to the provisions of this Act and the approval of the Chancellor—

(i) make provisional Statutes necessary for constituting the aforesaid authorities and regulating the procedure at their meetings and the transaction of their business,

(ii) draw up any rules that may be necessary for regulating the method of election to the aforesaid authorities;

(b) frame the first Statutes, Ordinances and Regulations under this Act and submit them for confirmation to the respective authorities when they commence to exercise their function.

(3) The authorities constituted under sub-section (1) shall commence to exercise their functions on such date or dates as the State Government may, by notification in the *Official Gazette*, direct.

(4) The Statutes, Ordinances and Regulations framed by the first Vice-Chancellor shall, when confirmed by the respective authorities, be published in the *Official Gazette*.

First appointment
of the
officers and
teachers of
the University.

66. (1) At any time after the passing of this Act until such time as the authorities of the University shall commence to exercise their functions—

(a) any officer of the University may be appointed by the Vice-Chancellor with the previous sanction of the Chancellor,

(b) teachers of the University may be appointed by the Chancellor after considering the recommendations of an Advisory Committee consisting of the Vice-Chancellor, the Director of Education and such other person or persons, if any, as the Chancellor thinks fit to associate with them.

(2) Any appointment made under sub-section (1) shall be for such period not exceeding four years and on such conditions as the appointing authority thinks fit :

Provided that no such appointment shall be made until financial provision has been made therefor.

67. The Vice-Chancellor appointed under section 62 shall have powers until the Syndicate commences to exercise its functions —

Extraordinary powers of the first Vice-Chancellor.

(a) with the previous approval of the Chancellor to make additional Statutes to provide for any matter not provided for by the first Statutes,

(b) to constitute provisional authorities and bodies and on their recommendations to make rules providing for the conduct of the work of the University,

(c) subject to the control of the State Government to make such financial arrangements as may be necessary to enable this Act or any part thereof to be brought into force,

(d) with the sanction of the Chancellor to make for a period not exceeding four years such appointments as may be necessary to enable this Act or any part thereof to be brought into force,

(e) to appoint any committee as he may think fit, to discharge such of his functions as he may direct, and

(f) generally to exercise all or any of the powers conferred on the Syndicate by or under the provisions of this Act.

68. If any difficulty arises as to the first constitution or reconstitution of any authority of the University after the coming into force of this Act or otherwise in first giving effect to the provisions of this Act, the State Government, as occasion may require, may by order do anything which appears to it necessary for the purpose of removing the difficulty.

Removal by State Government of difficulties at the commencement of the Act.

Bom. L
of
1949.

69. In the Gujarat University Act, 1949, in Schedule, the entries at serial numbers 4 and 5 shall be deleted.

Amendment of Bom. L 1949.

SCHEDULE

[See section 2(16)]

1. Surat District.
2. Bulsar District.
3. Broach District.
4. Dangs District.



सत्यमेव जयते

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EXTRAORDINARY

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Separate paging is given to this part in order that it may be filed as a Separate Compilation.

PART IV

Acts of Gujarat Legislature and Ordinances promulgated and
Regulations made by the Governor.

The following Act of the Gujarat Legislature, having been assented to by the Governor on the 15th March, 2012, is hereby published for general information.

C. J. GOTH,

Secretary to the Government of Gujarat,
Legislative and Parliamentary Affairs Department.

GUJARAT ACT NO. 2 OF 2012.

(First published, after having received the assent of the Governor, in the "Gujarat Government Gazette", on the 15th March, 2012).

AN ACT

further to amend the Vir Narmad South Gujarat University Act, 1965.

It is hereby enacted in the Sixty-third Year of the Republic of India as follows:-

1. This Act may be called the Vir Narmad South Gujarat University (Amendment) Act, 2012.

Short title.

Guj. 38 of 1965.

2. In the Vir Narmad South Gujarat University Act, 1965 (hereinafter referred to as "the principal Act"), in the long title, for the words "the Vir Narmad South Gujarat University", the words "Veer Narmad South Gujarat University" shall be substituted.

Amendment of
long title. of Guj.
38 of 1965.

Amendment of
section 1 of Guj.
38 of 1965.

3. In the principal Act, in section 1, in sub-section (1), for the words and figures "the Vir Narmad South Gujarat University Act, 1965", the words and figures "the Veer Narmad South Gujarat University Act, 1965" shall be substituted.

Guj. 38 of 1965.

Amendment of section 2 of Guj. 38 of 1965. 4. In the principal Act, in section 2, in clause (15), for the words “the Vir Narmad South Gujarat University”, the words “Veer Narmad South Gujarat University” shall be substituted.

Amendment of section 3 of Guj. 38 of 1965. 5. In the principal Act, in section 3, in sub-section (1), for the words “The Vir Narmad South Gujarat University”, the words “Veer Narmad South Gujarat University” shall be substituted.

Insertion of new section 60B in Guj. 38 of 1965. 6. In the principal Act, after section 60A, the following section shall be inserted, namely:-

Construction of reference to the Vir Narmad South Gujarat University Act, 1965 and Vir Narmad South Gujarat University in existing laws, instruments, etc.

“60B. (1) As from the commencement of the Vir Narmad South Gujarat University (Amendment) Act, 2012 (hereinafter referred to as “the said Act”), any reference in any existing law or instrument or document-

Guj. 2 of 2012.

- (i) to the expression “the Vir Narmad South Gujarat University Act, 1965” shall be construed as if it were a reference to “the Veer Narmad South Gujarat University Act, 1965”, and
- (ii) to the expression “The Vir Narmad South Gujarat University” shall be construed as if it were a reference to “Veer Narmad South Gujarat University”.

(2) Any act done by, or any suit or other proceeding filed by or against the Vir Narmad South Gujarat University before the commencement of the said Act shall be deemed to have been done or, as the case may be, filed by or against Veer Narmad South Gujarat University.

Explanation.- For the purpose of this section “existing law” means any enactment of a Legislature or any other competent authority in relation to matters specified in List II and List III in the Seventh Schedule to the Constitution of India as in force in any part of the State of Gujarat immediately before the commencement of the said Act and includes any statute, ordinance, rule, bye-law, regulation, order, notification, scheme, form or other instrument having the force of law made, prescribed or issued under any such enactment.”